

GENERAL PLAN AMENDMENTS

Purpose: The General Plan has been described as the “Constitution” for a city’s development: the foundation upon which all development decisions are based. Amendments may be proposed to the designations of specific properties as shown on the land use diagrams, or to tables or textual language in the plan. Evaluation of requested General Plan amendments reviews the conformance of the amendment with applicable General Plan goals, objectives and policies. If amendments are proposed which are not consistent with specific goals, objectives and policies, then all relevant goals, objectives and policies need to be reexamined and changed before approval of such amendments.

Code/Policy Reference: California Government Code, beginning with Section 65350; Fremont General Plan, Chapter 11.

General Plan Amendments may be initiated by the City or private property owners or their authorized agents. The following describes the submittal requirements and procedures for processing a private property owner initiated General Plan Amendment.

Submittal Requirements:

NOTE:

- Indicates an item which is always required.
- Indicates an item which may be required, depending on the project. The staff person who provides you this sheet will check (✓) the box if the item is required for your application.

- 1. A completed application form signed by:
 - a. The current property owner(s), authorizing the project proposal.
 - b. The billing party, acknowledging responsibility for charges.
- 2. Plans including the following items:
 - a. Vicinity map showing a one-half mile radius of the site.
 - b. Schematic site plan.
 - c. Floor plans, indicating all intended uses of each area.

- ☐ d. Elevations showing:
 - (1) Each side of all proposed buildings and/or existing buildings.
 - (2) Materials and colors to be used on each elevation.
- ☐ e. Schematic landscape plan, new or modified.
- ☐ f. Tree survey plan showing location, species, caliper and base elevations of all existing trees with a trunk diameter of four inches or greater measured four feet above grade. Groves may be shown in an outline.

■ 3. The number of plans to be submitted with the application are:

- a. Eight (8) sets of full-sized plans, collated and folded to a size NO LARGER THAN 8" x 13".
- b. One (1) set of the plans reduced to 11" x 17", collated and folded to 8 1/2" x 11".

After initial review of your project has been completed, your project planner will request you submit the following materials 21 days before your public hearing or action date.

- c. Three (3) sets of full size plans.
- d. Twenty-two (22) sets of plans reduced to 11" x 17", collated and folded to 8 1/2" x 11".
- e. One (1) set of full size reproducible vellums.

Full-size plans submitted should be no larger than 30" x 42".

- ☐ 4. Floor Area Ratio (FAR) calculations, for commercial or industrial projects involving added floorspace or increased building height, or changes in the land use designation of developed commercial or industrial lots. When the FAR is proposed to exceed the threshold provided in the General Plan, the applicant shall include information to support the findings required.

■ 5. Twenty-three copies of a statement containing the following information:

- a. *Goals:* Explain how the proposed General Plan amendment will implement the fundamental and other applicable goals of the General Plan (see especially Chapter 2 of the General Plan) in a fashion superior to the implementation that could be expected under the existing General Plan designation.
- b. *Benefit:* Explain how the proposed amendment will benefit the City as a whole, in terms of land use pattern, social environment, community appearance, traffic circulation, and economic considerations.

- c. *Effects upon the Environment:* Where applicable, explain how the proposed amendment will affect public services and other qualities of the local environment.
- 6. A statement signed by the applicant indicating whether the project site is found on the Hazardous Waste and Substances Sites List pursuant to California Government Code Section 65962.5.
 - 7. A list of all consultants proposed to be involved with the project, or a statement that none are proposed to be involved.
 - 8. Environmental Impact Assessment (EIA) Questionnaire.
 - 9. A traffic study may be required. All proposals will be evaluated by the Traffic Engineer to project whether there could be a net increase in traffic. If a traffic study is required, a consultant will be employed by the City but paid for by the applicant. The study must be completed at least 30 days prior to consideration of the project by the approving authority.
 - 10. A statement of Best Management Practices (BMP's) appropriate for the proposed development to prohibit pollutants from entering into storm water runoff. The BMP statement shall include measures for construction, long term operation, and maintenance of the project.

Hearing Notification: The City will notify all property owners, as well as business and residential tenants within the appropriate radius of your project site. Most projects require a 300-foot radius, while some require 1,000-foot based on the sensitivity of the project and the level of community input anticipated or required.

As with all other costs, you will be billed for staff time to research, create and label the required postcards. If the public hearing is delayed for an extended period of time after notices for your project have been mailed, you will be charged the cost to re-mail postcards.

Materials: The remainder of the noticing costs are for the price of materials, including cardstock, labels and postage. We estimate materials to cost ***44 cents per postcard***.

Example: If there were 85 notices mailed for your project (the average number of notices for planning projects), your cost will be:

1/2 hour of staff time	\$28.00
85 postcards @ 44 cents each	\$37.40
Total Cost	\$65.40

Schedule Time Line: When an application is filed, the project will be tentatively scheduled for a Planning Commission hearing date at least 60 days later. Planning Commission meetings are generally held on the 2nd and 4th Thursdays of each month, except in November and December. Check with staff for the schedule of Commission hearing dates in November and December.

An applicant meeting with the staff planner assigned to the project will be tentatively scheduled at the time an application is filed, for a date approximately three weeks later.

The dates of the Commission hearing and applicant meeting will be confirmed by letter. The applicant and other project representatives should plan on attending the Commission hearing and applicant meeting.

Before the applicant meeting, the project will be reviewed by the City Technical Coordinating Committee (CTCC) for general ordinance and policy compliance. The CTCC will also determine whether application materials are complete and whether additional environmental studies are required.

Any issues identified by the CTCC or staff planner will be discussed during the applicant meeting. If it is determined the application is incomplete, the staff planner will let the applicant know at or before the applicant meeting. If additional information or revised materials are required, the tentative Planning Commission hearing date may have to be changed. Additional information and revised materials must be submitted at least 21 days before the Planning Commission hearing date to allow for staff review.

Appeals of Planning Commission Action: Appeals of Planning Commission actions are considered by the City Council. Appeals to the City Council must be submitted in writing to the City Clerk within 10 calendar days of the Planning Commission action. Your appeal letter must be accompanied by a \$50 appeal fee and must set forth (a) the specific action appealed from, (b) the specific grounds of the appeal and (c) the relief or action sought from the City Council. For additional details regarding appeals to the City Council, contact the City Clerk's office, 39100 Liberty Street, Fremont, CA 94538, phone: (510) 745-4620.

City Council Hearing Date: Planning Commission recommendations for approval are considered by the City Council four times per year. Generally hearings are held in March, June, September and December. Staff should be contacted as to actual schedule. Applications pertaining to affordable housing as defined by State law can be heard at any time.

Incomplete Applications: An application is considered to be incomplete if any of the items checked on this information sheet have not been included. Processing of the application will be delayed until the submittal is determined to be complete.

Development Impact Fees:

Commercial and Industrial Buildings

Development impact fees may be assessed if your project involves new construction or additional floor area. If the project involves a change of use in a building, development impact fees may also be assessed. For example, a change from a warehouse to an industrial classification or a change from retail to an office would require Development Impact Fees be paid. A credit will be applied to the value of fees for the previous use category and a charge will be applied for the fees of the new use category. There are three categories of Development Impact fees assessed for commercial and industrial buildings: Traffic, Capital Facilities and Fire Protection Fees.

Residential Developments

New residential dwellings (single family and multi-family projects) always trigger payment of Development Impact Fees. In addition to the fee categories assessed for commercial and industrial buildings, new residential construction also requires the payment of Park Facilities and Park Dedication In-Lieu fees.

For further information on Development Impact Fees, please refer to the Development Impact Fee schedule available in the Development Services Center or speak with a Development Services staff member.

Fees: The minimum deposit for an application for a General Plan Amendment is _____ and is due at the time of submittal. The actual charge will be based on staff time required to process the application, including any appeal. Progress billings will be invoiced during the review of the project if charges exceed the minimum deposit. A refund will be invoiced at the completion of the project review if excess funds have been paid.

Requirements described on this sheet are subject to change. If you need additional information or clarification regarding your submittal please contact the staff person who furnished you this sheet for further assistance.

Information sheet furnished by: _____ Phone: (510) 494- _____

for proposal: _____

_____ Date: _____